

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

DANIEL R. DALRYMPLE and
LESLIE W. WHITE, JR.,

Plaintiffs,

vs.

ROBERT DOOLEY, Warden;
JENNIFER STANWICK-KLIMEK,,
Associate Warden;
SUSAN JACOBS, Associate Warden;
LELAND TJEERDSMA, Major,
Special Security;
JACQUELINE PETERS, Sergeant;
NICOLE ST. PIERRE, Mail Room;
CORY NELSON, Mental Health;
TOM GILCHRIST, Mental Health;
MATT FITCH, Laundry;
TRAVIS TJEERDSMA,
Unit Coordinator;
TAMMY DOYLE, Unit Manager;
LORI DROTZMAN, GED Teacher;
KIMBERLY LIPPINCOTT,
Case Manager;
SUNNY WALTER, Attorney;
JAMES HALSEY, C.A.C. Library;
GARY CHRISTENSEN, Unit Manager;
NANCY CHRISTENSEN, Unit
Manager;
MARK BIDNE, Paralegal, Mike Durfee
State Prison;
CARLA GROSSHUESCH,
Unit Coordinator;
MICHAEL HANVEY, Physician
Assistant;
TERRY ROMKEMA, Corporal;
MICHAEL GROSSHUESCH,
Lieutenant;
GARY AVDOYAN, Correctional Officer;
DANIEL SESTAK; Lieutenant; and
MARK PISCHEL, Correctional Officer,
Mike Durfee State Prison,

Defendants.

CIV. 12-4098-KES

ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION AND
GRANTING MOTION FOR
SUMMARY JUDGMENT

Plaintiffs, Daniel R. Dalrymple and Leslie W. White, Jr., filed this lawsuit
pursuant to 42 U.S.C. § 1983. The case was referred to Magistrate Judge John Simko

pursuant to 28 U.S.C. § 636(b)(1)(B) for the purpose of conducting any necessary hearings, including evidentiary hearings. Defendants filed a motion for summary judgment on May 9, 2014.

On September 11, 2014, Magistrate Judge Simko submitted his report and recommended that defendants' motion for summary judgment be granted. Docket 172. Dalrymple and White were notified in the report and recommendation that they had 14 days to file objections to the report. Even though no objections were filed that would require de novo review under *Thompson v. Nix*, 897 F.2d 356 (8th Cir. 1990), the court reviewed the matter de novo and finds that the magistrate judge's report and recommendation is adopted in full. Therefore, it is

ORDERED that the report and recommendation of Magistrate Judge Simko (Docket 172) is adopted in full and the motion for summary judgment is granted.

Dated October 6, 2014.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER
UNITED STATES DISTRICT JUDGE